

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DOMENICA NOMINEES PTY. LTD., FRANK WILSON, and LUCERNE AUSTRALIA PTY. LTD.,

Plaintiffs,

-against-

EMERGING MARKETS INTRINSIC CAYMAN LTD., SRT CAPITAL SEGREGATED PORTFOLIO COMPANY TFC, CGO V, LLC, SRT CAPITAL SPC, LTD., ERIC MAASS and BULENT TOROS,

Defendants.

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Case No. 16-cv-09016 (VEC)(KNF)

STIPULATION

WHEREAS, on November 8, 2016, Plaintiff Domenica Nominees Pty. Ltd. moved the New York Supreme Court, New York County (Index No. 655875/2016) by order to show cause why a preliminary injunction should not be made and entered herein (“State Court Action”);

WHEREAS, on November 11, 2016 the New York Supreme Court, Hon. Marcy Friedman (J.S.C.), entered an order setting a hearing date on the order to show cause application for November 30, 2016;

WHEREAS, on November 18, 2016 Defendants CGO V, LLC, Emerging Markets Intrinsic, Cayman Ltd., and Emerging Markets Intrinsic, Ltd. removed the State Court Action to this Court;

WHEREAS, Plaintiffs intend to renew the request for a preliminary injunction before this Court forthwith;

WHEREAS, the Parties have reached agreement to preserve the *status quo* pending a hearing on Plaintiffs’ request for the entry of a preliminary injunction;

IT IS HEREBY STIPULATED AND AGREED that, between now and January 13, 2016, Defendants CGO V, LLC, Emerging Markets Intrinsic, Cayman Ltd., and Emerging Markets Intrinsic, Ltd and their affiliates, officers, managers, agents, attorneys, custodians, or nominees and any other person acting on their behalf are enjoined and restrained from taking any direct or indirect action to sell or transfer any shares or interests in TFS Corporation Ltd. held as collateral in connection with any lending agreement involving SRT Capital SPC, Ltd., Lucerne Investment Partners, Lucerne Australia Pty Ltd., or Emerging Markets Intrinsic Cayman Ltd., or Emerging Markets Intrinsic, Ltd.

IT IS FURTHER STIPULATED AND AGREED that (i) the Parties may stipulate, without the Court's approval, to extend the injunction and restraint described in the preceding paragraph beyond January 13, 2016; and (ii) if the Parties are not able to appear for a preliminary-injunction hearing on or before January 13, 2016, and if the Parties cannot agree on a stipulation to extend the injunction and restraint described in the preceding paragraph, Plaintiffs may move for a temporary restraining order pending a preliminary-injunction hearing.

IT IS FURTHER STIPULATED AND AGREED that nothing herein shall impair Defendants' rights to seek to vacate or modify this Stipulation.

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Ltd.*

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE
12/13/2016

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